

CLAIM AMENDMENTS:

Please **amend** the claims as follows:

1. (Currently Amended): A fluid absorbent mat having a single fabric layer defining the upper exterior of the mat and a rubber backing bonded to single the fabric layer, wherein the single fabric layer ~~includes~~ consists essentially of a knitted polyester fabric wherein the single fabric layer is adapted to retain fluid therein.

2. (Currently Amended): The mat according to claim 1, wherein the fabric layer ~~includes a microknitted~~ is knitted polyester fabric including microdenier yarns comprising filaments less than 1.1 denier.

3. (Currently Amended): The mat according to claim 1, wherein the ~~fabric layer includes~~ knitted polyester fabric is a warp-knitted plush polyester fabric.

4. (Currently Amended): The mat according to claim 4 ~~3~~, wherein the fabric includes a pile yarn and a ground yarn.

5. (Currently Amended): The mat according to claim 4, wherein the pile yarn is a micro-denier yarn comprising filaments of less than or equal to 1.1 denier.

6. (Currently Amended): The mat according to claim 4, wherein the ground yarn is a monofilament of no less than 10 denier, ~~or a multi-filament yarn.~~

7. (Canceled)

8. (Currently Amended): The mat according to claim 1, wherein the ~~fabric layer has~~
single fabric layer has an upper surface, wherein said upper surface is a sanded
surface.

9. (Original): The mat according to claim 1, wherein the fabric is chemically treated to
render it hydrophilic.

10. (Original): The mat according to claim 9, wherein the fabric is chemically
treated with an anionic-ethoxylated sulfonated polyester and a high molecular weight
ethoxylated polyester.

11. (Currently Amended): The mat according to claim 1, wherein the single
fabric layer has a textured surface that includes raised and/or recessed surface
formations.

12. (Currently Amended): The mat according to claim 11, wherein the surface
formations ~~have an average height of~~ define a plurality of raised portions and
depressed portions disposed in cooperating relation across the mat such that fluid may
be collected at said depressed portions, and wherein the average difference in height
between the raised portions and the depressed portions is about 0.1-2.0mm, preferably
0.2-0.5mm.

13. (Currently Amended): The mat according to claim 11, wherein the individual surface formations have an average surface area of $0.2-100\text{mm}^2$, ~~preferably 1.0-~~
~~20mm².~~

14. (Currently Amended): The mat according to claim 11, wherein the surface formations are randomly distributed over substantially the whole of the single fabric layer.

15. (Currently Amended): The mat according to claim 11, wherein the surface formations are formed by underlying raised and/or recessed surfaces on the face of the rubber backing that is bonded to the single fabric layer.

16. (Currently Amended): The mat according to claim 1, wherein the single fabric layer is printed.

17. (Original): The mat according to claim 16, wherein the mat has printed borders.

18. (Currently Amended): The mat according to claim 1, wherein the single fabric layer covers substantially the whole of one face of the rubber backing.

19. (Currently Amended): The mat according to claim 18, wherein the single fabric layer has cut edges.

20. (Currently Amended): The mat according to claim 1, wherein the rubber backing has a thickness of 0.5-5mm, ~~preferably 1-3mm~~.

21. (Original): The mat according to claim 1, the mat being suitable for use as a drip mat.

22. (Currently Amended) A fluid absorbent mat having a single fabric layer defining the upper exterior of the mat and a rubber backing bonded to the single fabric layer, wherein the single fabric layer is chemically treated to render it hydrophilic such that fluid is retained therein.

23. (Currently Amended): The mat according to claim 22, wherein the single fabric layer has a textured surface.

24. (Original): The mat according to claim 22, wherein the mat has an absorbency of at least 15ml before overflow for a 10cm x 10cm sample.

25. (Original): The mat according to claim 22, wherein the mat has a liquid retention after draining of less than 5ml for a 10cm x 10cm sample.

26. (Currently Amended): The mat according to claim 22, wherein the single fabric layer has a pile surface that provides for sharp definition printing.

27. (Original): A mat according to claim 26, wherein the pile surface has substantially instantaneous moisture dissipation.

Claim 28 (Canceled)

29. (Currently Amended): The mat according to claim 28 22, wherein said mat is at least one of a drip mat, poster mat, floor mat, place mat, coaster, stair riser, carpet tile, and taxi mat.

Claims 30-50 (Canceled)

51. (Currently Amended): The mat according to claim 16, wherein the single fabric layer is printed by at least one of heat transfer printing, digital printing, ink-jet printing, electrostatic printing, and screen printing.

52. (Currently Amended): The mat according to claim 1, wherein the single fabric layer is dyed.

53. (Currently Amended): The mat according to claim 22, wherein the single fabric layer is printed by at least one of heat transfer printing, digital printing, ink-jet printing, electrostatic printing, and screen printing.

54. (Currently Amended): The mat according to claim 22, wherein the single fabric layer is dyed.

Claims 55 - 56 (Canceled)

57. (Original): The mat according to claim 29, wherein the floor mat is an advertising floor mat.

58. (Currently Amended): The mat according to claim 57, wherein the single fabric layer is printed by at least one of heat transfer printing, digital printing, ink-jet printing, electrostatic printing, and screen printing.

59. (Currently Amended): The mat according to claim 57, wherein the single fabric layer is dyed.

Claims 60 - 69 (Canceled)

70. (Original): The mat according to claim 1, wherein the mat is at least one of a drip mat, poster mat, floor mat, place mat, coaster, stair riser, carpet tile, and taxi mat.

71. (Original): The mat according to claim 70, wherein the mat is an advertising floor mat.

72. (Original): A mat according to claim 22, wherein the mat is at least one of a drip mat, poster mat, floor mat, place mat, coaster, stair riser, carpet tile, and taxi mat.

73. (Original): The mat according to claim 72, wherein the mat is an advertising floor mat.

Claims 74 - 81 (Canceled)

REMARKS

Claims 1-81 were pending in the application. Claims 7, 28, 30-50, 55, 56, 60-69 and 74-81 have been canceled. Claims 1 – 6, 8, 11 – 14, 15, 16, 18 - 20, 22, 23, 26, 29, 51 – 54, 58 and 59 have been amended. No claims have been added. Thus claims 1-6, 8-27, 29, 51-54, 57-59 and 70-73 remain subject to continued examination. Each of these claims is believed to be in condition for allowance. Accordingly, an action to that effect is requested at this time.

RESTRICTION REQUIREMENT:

At this time Applicants confirm the prior provisional election to prosecute the Group I Claims. Applicants respectfully maintain their traverse of this requirement on the grounds that contemporaneous examination of both groups should not give rise to undue burden on the part of the Examiner since a comprehensive search will no doubt require a review of art directed to both the product and process claims.

FORMAL REJECTIONS:

Claims 1, 5, 6, 12, 13, 15, 20, 46 and 47 each stand rejected under 35 U.S.C. 112 first or second paragraph. Each of these claims has been either amended or canceled in the manner outlined above so as to address or obviate the outstanding

formal rejections. Accordingly, reconsideration and withdrawal of all prior formal rejections is requested at this time.

ANTICIPATION REJECTIONS:

In the prior Office Action claims 1-8, 11, 14, 16-21, 28, 29, 43-47, 49-52, 55-61, 65-71, 74-77 and 80-81 were subject to art rejections based on anticipation by one or more of U.S. Patent 5,262,092 to Reeder et al., U.S. Patent 5,965,232 to Vinod and/or U.S. Patent 5,524,317 to Nagahama et al. Each of these claims has been either canceled or subject to amendment in a manner believed to overcome the outstanding rejections. In particular, each of the claims now requires a single fabric layer defining the upper exterior of the mat and adapted to retain fluid therein. Claim 1 (and each of the claims depending therefrom) further requires that the single fabric layer consists essentially of a knitted polyester fabric. Claim 22 (and the claims depending therefrom) further requires that the single fabric layer is chemically treated to render it hydrophilic such that fluid is retained therein.

In order to maintain an anticipation rejection every element of the claim must be contained in a single prior art reference. This standard is not met by the cited art. In particular, as best understood Reeder et al. does not disclose a fluid retaining fabric layer defining an upper exterior of a mat. Likewise, as best understood Vinod also fails to disclose such a fluid retaining fabric layer. As best understood Nagahama fails to disclose a mat having a single fabric layer consisting essentially of knitted polyester fabric defining the upper exterior of a mat as recited in claim 1 and the claims

depending therefrom or treating a single fabric layer to make it hydrophilic as recited in claim 22 and the claims depending therefrom. Rather, Nagahama utilizes a multi-layer structure in which the pile yarns are inserted by tufting or the like into a separate base fabric.

In light of the deficiencies in the teachings of the prior art it appears that no single prior art reference contains all elements of the claims. Accordingly, it is respectfully submitted that all outstanding anticipation rejections should be withdrawn at this time.

OBVIOUSNESS REJECTIONS:

Claims 1-4, 6-11, 16-19, 21-29 and 43-81 stand rejected under 35 U.S.C. §103 as being obvious over the combination of WO 96/32526 to Cooper in view of U.S. Patent 5,817,391 to Rock et al. and U.S. Patent 6,381,778 to Peterson either as a discrete combination or in further view of Schutte et al. or Kaufman. Thus, all obviousness rejections are premised on the combination of Cooper, Rock et al. and Peterson. Continued rejection on this basis is respectfully traversed and reconsideration is requested.

As stated at MPEP §2143, in order to establish a *prima facie* case of obviousness there must be some suggestion or motivation, either in references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the references, or to combine reference teachings. The suggestion to make the claimed combination and a reasonable expectation of success must be found in the

prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20, USPQ2d 1438 (Fed. Cir. 1991). MPEP §2143.01 goes on to state that the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. Moreover, motivation for combining or modifying the prior art is lacking where the proposed combination or modification renders the device of the prior art unacceptable for its intended purpose.

In the present case it is respectfully submitted that there would be no reasonable motivation for modifying the primary reference to Cooper et al. to reach the invention as presently claimed wherein the mat includes a single fluid-retaining fabric layer defining an exterior face of the mat. In this regard it is noted that the spacer fabric of Cooper requires multiple layers designed to withdraw moisture to the lower layers. Thus, at page 5 it is stated that the upper surface of the spacer fabric is preferably such that liquids and air can easily pass therethrough. As best understood, the secondary references to Rock et al. and Peterson also provide for fluid withdrawal out of the upper layer. Thus, it appears that the use of a single upper fabric layer which retains fluid therein is in contrast to the basic teachings of the cited art. Thus, it is respectfully submitted that the cited combination of references lacks the required suggestion or motivation for making the proposed modification.

CONCLUSION:

On the grounds as set forth above, Applicants respectfully request that all remaining claims be passed to issue. While an attempt has been made to address all

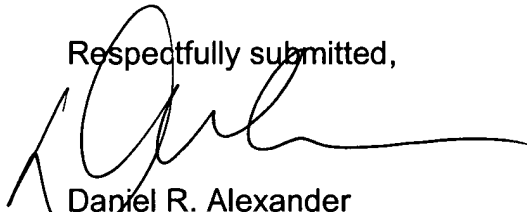
outstanding issues, to any extent that one or more issues remain, the undersigned respectfully requests a telephone conference to resolve such issues.

EXTENSION OF TIME/AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

A request for a three (3) month extension of time accompanies this amendment. Please charge any fees including fees for the requested extension of time and credit any overpayment in connection with this Amendment to Deposit Account 04-0500.

Respectfully submitted,

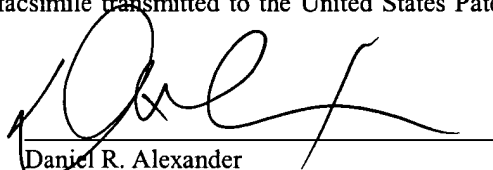
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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 703-872-9310 on July 9, 2003.



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